



Attorney Docket No.: 10084.000-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chris Pernell

Serial No.: 09/636,453

Confirmation No: 8839

Group Art Unit: 1761

Filed: August 11, 2000

Examiner: To Be Assigned

For: Whey Protein Emulsion

PATENT

05-08-01

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97(c)**

Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references are listed in Form PTO-1449 which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is also enclosed. The references are as follows:

1. Poduval et al., *J. Dairy Sci.*:82:1-9, 1999;
2. Rudan et al., *J. Dairy Sci.*; 81: 2077-2088, 1998;
3. Rudan et al., *J. Dairy Sci.* 81:2065-2075, 1998;
4. Lelievre et al., *J. Soc. Dairy Technol.* 43:1, 1990
5. Horton et al., *Food Technol.* 26:30-35, 1972.
6. Singh et al., *J. Dairy Sci.*; 918-929, 1998.

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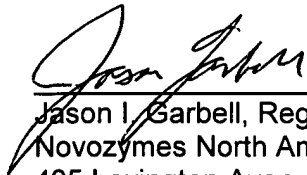
It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record

therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

The information disclosure statement submitted herewith is being filed **within** three months of the filing date of a national application or date of entry into the national stage of an international application, or **before** the mailing date of a first Office action on the merits, or **before** the mailing date of a first Office action after the filing of a request for continued examination. Therefore, no fee is due.

Respectfully submitted,

Date: April 30, 2001

  
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